

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA,
Plaintiff,
v.

RUBÉN VENTURA MUÑOZ,
Salinas.

Crim. No. 25-044 (CVR)

SENTENCING MEMORANDUM

“THE GRASS IS NOT, IN FACT, ALWAYS GREENER ON THE OTHER SIDE OF THE FENCE.”

- ROBERT FULGHUM.



Loneliness brought him here, and desperation kept him. What began as an act of quiet sacrifice, a journey made not for personal gain, but so he can afford a medical operation, has now placed him before this Court. Mr. Ventura recognizes his wrongdoing, but he respectfully requests that the Court accept his sincere repentance and provide him with the opportunity to atone for his mistakes.

Mr. Ventura's actions were driven by a deeply human need: necessity. We ask this Honorable court to consider the profound circumstances that led him here and impose time served.

I. Circumstances leading to Mr. Ventura's Reentry into Puerto Rico

While working in construction in the Dominican Republic, Mr. Ventura had an accident at work where he fell and sustained a serious injury to his foot. He remained in bed for almost 2 years, could barely walk and was unable to work. He was told he would need a second operation; one he could not afford with the little he earned.

He was left in pain, and yet unable to pay for the operation he desperately needed. Working in construction in the Dominican Republic, he earned too little to afford the procedure and despite his strong roots in his home country, he made the difficult decision to leave. Mr. Ventura thought the grass was greener on the other side, and although he understood the risk of entering Puerto Rico illegally, he also understood that any economic opportunity, though modest, would be just enough to take care of his health.

While in Puerto Rico, Mr. Ventura was employed in the construction industry, earning a modest income with the intention of soon returning home to undergo his second operation. At the time, he lived in Barrio Obrero, San Juan. On January 26, 2025, Mr. Ventura was apprehended during a series of coordinated enforcement actions conducted by U.S. Immigration and Customs Enforcement (ICE) and Homeland Security Investigations Agents (HSI), which disproportionately targeted Black immigrants. This operation marked the first of its kind in Barrio Obrero and aligned with President Donald Trump's reinstated immigration policies, which intensified enforcement efforts and left this population with little protection. Since then, federal authorities have carried out additional raids in Barrio Obrero, as well as in other areas including Río Piedras, Puerto Nuevo, and various locations across the island. As of April 10th, 2025, a total of 318

individuals have been detained in Puerto Rico under these measures, 285 of whom are men and 214 of whom are of Dominican nationality.¹

II. No ties to the Community

Mr. Ventura's plan was never to stay. His primary physician, with whom he had regular check-ups, was based in the Dominican Republic, and it was always his intention to undergo the operation there. Needless to say, his life, his wife, sons and daughter, all of it remained in the Dominican Republic. He was open and honest in sharing how deeply loneliness began to weigh on him. The months he spent in Puerto Rico were marked by a quiet, persistent solitude. Each day he went to work and returned to an empty apartment, with no family to greet him, no friends to share a meal with, no community to lean on. His only connection to this island was a singular purpose: to earn enough to pay for the medical operation he could not afford with the income he earned back home.

Mr. Ventura maintains a close relationship with his wife's children and grandchildren whom he considers them his own. He also has children of his own; however, several years ago, his daughter moved to another province and distance grew between them. The physical distance turned into emotional distance. Raised to be a working man, Mr. Ventura has always expressed love through provision, he continues to pay for his daughter's rent and internet as a way to show he cares. For a long time, he believed that fulfilling his role as a provider was enough, not knowing how else to bridge the growing gap between them.

¹Andrea Guemáñez Soto, *Agentes de ICE detienen a dos personas en Barrio Obrero como parte de ofensiva antiinmigrantes de Donald Trump*, El Nuevo Día (April 11, 2025, 12:20 PM), <https://www.elnuevodia.com/noticias/seguridad/notas/agentes-de-ice-detienen-a-dos-personas-en-barrio-obrero-como-parte-de-ofensiva-antiinmigrantes-de-donald-trump/>.

Yet, the profound loneliness he has experienced during his time here made him reflect on the kind of relationship he truly wants with his daughter. He came to understand that economic support alone was not the connection he longed for, he wanted to be present in her life, to call her, visit her, and rebuild their bond in a more meaningful and affectionate way. He looks forward to seeing her children, his grandchildren, and forming part of their lives as well.

Mr. Ventura misses his life in the Dominican Republic, his wife, his children, and the comfort of being surrounded by people who know and love him. Still, he bore the emotional toll of that isolation because, in his mind, it was a sacrifice worth making. A necessary pain in pursuit of survival. His presence here was never about seeking a new life, it was about preserving the one he already had.

III. Mr. Ventura's Health as a Main Concern

Every night and every morning, Mr. Ventura has to wrap his ankle to manage pain and maintain mobility. While he does not currently take medication for the pain in his foot, he has undergone medical evaluation at MDC and has previously received an X-Ray at such institution. In addition, Mr. Ventura has a history of high blood pressure, for which he is prescribed medication. Prior to his detention, he regularly consulted with a primary care physician in the Dominican Republic to monitor and manage his overall health. It is essential that Mr. Ventura continues receiving this care, and upon his return to the Dominican Republic, he intends to resume regular visits with his physician to maintain his routine medical check-ups.

Mr. Ventura's health remains our primary concern. A sentence of time served would expedite his return to his home country, allowing him to address his medical needs

without further delay. He requires urgent surgery on his foot and must resume care with his primary physician to properly medicate his high blood pressure.

IV. A sentence of time served is consistent with the sentencing guidelines — and a just resolution to this case.

Although this is not Mr. Ventura's first time before this Honorable Court, he is a non-violent offender. Thirteen years have passed since his first conviction and Mr. Ventura's reason for reentry was for the sole purpose of earning sufficient income to cover the costs of an operation he would schedule in the Dominican Republic. He faces 0-6 months of the Guidelines' sentencing table and particularly given that Mr. Ventura will have served nearly three months in custody as of April 26th, time served is an appropriate request for this Honorable Court.

A sentence of time served is still a significant punishment and restriction of Mr. Ventura's liberty. This conviction carries burdensome collateral consequences that will follow him for the rest of his life. As a convicted felon, Mr. Ventura will face significant barriers to employment, which could result in further disastrous consequences, including being unable to pay for his operation and supporting his wife and daughter. *See United States v. Nesbeth*, 188 F.Supp.3d 179, 185 (E.D.N.Y 2016) (listing some of the collateral consequences convicted felons face).

After he discharges the Court's sentence, Mr. Ventura plans to return to his wife in the Dominican Republic and rekindle his relationship with his daughter. He plans to continue seeing his doctor and hopefully gather sufficient money to pay for his operation he so desperately needs.

Mr. Ventura humbly asks the Court to accept his genuine repentance and allow him to serve a sentence of time served, giving him the chance to continue supporting his

family and demonstrating to his wife and children that he is capable of making meaningful changes in his life.

WHEREFORE, Mr. Ventura respectfully requests that the Court take notice of this sentencing memorandum, and sentence him to time served.

I CERTIFY that on this date I electronically filed the foregoing motion with the Clerk of Court using the CM/ECF system which will send notification of such filing to the parties of record.

RESPECTFULLY SUBMITTED

In San Juan, Puerto Rico, this 15th day of April 2025.

RACHEL BRILL
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